

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

GAIL BONNIE BARTELS,

Defendant.

NO. CR-06-0043-LRS

ORDER DENYING DEFENDANT'S
MOTIONS TO DISMISS

BEFORE THE COURT at the scheduled pretrial conference on August 1, 2006, were Defendant Gail Bartels' Motion to Dismiss All Counts of the Indictment (Ct. Rec. 35), and Defendant's Motion to Dismiss Count 2 of the Indictment for Duplicitous Charging (Ct. Rec. 38). The pretrial conference was held in Spokane via video conference with the Defendant's express permission.

In its August 2, 2006, Order (Ct. Rec. 46) this Court DENIED Defendant's Motion to Dismiss All Counts of the Indictment (Ct. Rec. 35) as to Count I. The Court RESERVED ruling on Counts 2 and 3 while granting the government 15 days to file a Superceding Indictment. On August 8, 2006, the government filed a Superceding Indictment. (Ct. Rec. 47). Therefore, Defendant's Motion to Dismiss (**Ct. Rec. 35**) is **DENIED** as to all Counts.

1 Similarly, the Court RESERVED ruling on Defendant's Motion to
2 Dismiss Count 2 of the Indictment for Duplicitous Charging (Ct. Rec.
3 38) while granting the government 15 days to file a Superceding
4 Indictment. Defendant's Motion to Dismiss Count 2 of the Indictment
5 for Duplicitous Charging (**Ct. Rec. 38**) is **DENIED**.

6 **IT IS SO ORDERED.** The District Court Executive is directed to
7 enter this order and to provide copies to all counsel.

8 **DATED** this 25th day of August, 2006.

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10 ***s/Lonny R. Suko***

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LONNY R. SUKO
United States District Judge